

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

In re:

MOUNTAIN EXPRESS OIL COMPANY, et al.,

Debtors.<sup>1</sup>

Chapter 11

Case No. 23-90147 (DRJ)

(Jointly Administered)

**DEBTORS' AGENDA FOR HEARING SCHEDULED FOR  
MAY 25, 2023 AT 1:00 P.M. (PREVAILING CENTRAL TIME)**

The above-referenced debtors and debtors in possession (collectively, the “Debtors”) file this Agenda for Hearing Scheduled for April 25, 2023 at 1:00 p.m. (prevailing Central Time) before the Honorable David R. Jones at the United States Bankruptcy Court for the Southern District of Texas, Courtroom 400, 4<sup>th</sup> Floor, 515 Rusk Street, Houston, Texas 77002:

**A. Independent Director Motion**

1. *Motion for Entry of Order (I) Ratifying the Appointment of Independent Directors Effective as of the Petition Date; and (II) Authorizing the Payment of Director Fees* [Docket No. 283].

**Responses Received:**

1. *United States Trustee's Objection to Debtors' Motion for Entry of Order (I) Ratifying the Appointment of Independent Directors as of the Petition Date; and (II) Authorizing the Payment of Director Fees* [Docket No. 370].
2. *The Official Committee of Unsecured Creditors' Objection to Debtors' Motion for Entry of Order (I) Ratifying the Appointment of Independent Directors as of the Petition Date; and (II) Authorizing the Payment of Director Fees* [Docket No. 393].

**Related Documents:**

1. *Certificate of Service* [Docket No. 298].

<sup>1</sup> A complete list of each of the Debtors in these Chapter 11 cases may be obtained on the website of the Debtors' proposed claims and noticing agent at [www.kccllc.net/mountainexpressoil](http://www.kccllc.net/mountainexpressoil). The location of Debtor Mountain Express Oil Company's principal place of business and the Debtors' service address in these Chapter 11 cases is 3650 Mansell Road, Suite 250, Alpharetta, GA 30022.

2. *Declaration of Craig A. Barbarosh in Support of Debtors' Motion for Entry of Order (I) Ratifying the Appointment of Independent Directors Effective as of the Petition Date; and (II) Authorizing the Payment of Director Fees* [Docket No. 364].
3. *Declaration of Lawrence Perkins in Support of Debtors' Motion for Entry of Order (I) Ratifying the Appointment of Independent Directors Effective as of the Petition Date; and (II) Authorizing the Payment of Director Fees* [Docket No. 365].
4. *Notice of Hearing Regarding: (A) Debtors' Motion for Entry of Order (I) Ratifying the Appointment of Independent Directors Effective as of the Petition Date; and (II) Authorizing the Payment of Director Fees; and (B) Application for Entry of an Order (I) Authorizing the Employment and Retention of Raymond James & Associates, Inc. as Investment Banker for the Debtors, Effective as of the Petition Date and (II) Granting Related Relief* [Docket No. 397].
5. *United States Trustee's Witness and Exhibit List for May 25, 2023 Hearing* [Docket No. 432].
6. *Debtors' Witness and Exhibit List* [Docket No. 435].
7. *Notice of (I) Amended May 25, 2023 Hearing Time and (II) Continued Hearing Regarding Debtors' Emergency First Omnibus Motion for Entry of an Order (I) Authorizing the Debtors to Reject Certain Unexpired Leases, Subleases and Related Contracts Pursuant to 11 U.S.C. § 365, and (II) Granting Related Relief* [Docket No. 437].
8. *Debtors' Reply in Support of Debtors' Motion for Entry of Order (I) Ratifying the Appointment of Independent Directors Effective as of the Petition Date; and (II) Authorizing the Payment of Director Fees* [Docket No. 445].
9. *[Proposed] Order (I) Ratifying the Appointment of Independent Directors Effective as of the Petition Date; and (II) Authorizing the Payment of Director Fees* [Docket No. 446].

**Status:** The matter will go forward.

## **B. RJ Retention Application**

1. *Application for Entry of an Order (I) Authorizing the Employment and Retention of Raymond James & Associates, Inc. as Investment Banker for the Debtors, Effective as of the Petition Date and (II) Granting Related Relief* [Docket No. 288].

### **Responses Received:**

1. *Limited Objection of the Official Committee of Unsecured Creditors to Debtors' Application to Employ and Retain Raymond James & Associates, Inc. as Investment Banker for the Debtors* [Docket No. 389]. Such objection has been resolved through the revised Proposed Order.

2. Certain informal comments were received from the Office of the United States Trustee, which were incorporated and resolved through the revised Proposed Order.

**Related Documents:**

3. *Certificate of Service* [Docket No. 298].
4. *Supplemental Declaration of Geoffrey Richards in Support of Debtors' Application for Entry of an Order (I) Authorizing the Employment and Retention of Raymond James & Associates, Inc. as Investment Banker for the Debtors, Effective as of the Petition Date and (II) Granting Related Relief* [Docket No. 373].
1. *Notice of Hearing Regarding: (A) Debtors' Motion for Entry of Order (I) Ratifying the Appointment of Independent Directors Effective as of the Petition Date; and (II) Authorizing the Payment of Director Fees; and (B) Application for Entry of an Order (I) Authorizing the Employment and Retention of Raymond James & Associates, Inc. as Investment Banker for the Debtors, Effective as of the Petition Date and (II) Granting Related Relief* [Docket No. 397].
2. *United States Trustee's Witness and Exhibit List for May 25, 2023 Hearing* [Docket No. 432].
3. *Debtors' Witness and Exhibit List* [Docket No. 435].
4. *Notice of (I) Amended May 25, 2023 Hearing Time and (II) Continued Hearing Regarding Debtors' Emergency First Omnibus Motion for Entry of an Order (I) Authorizing the Debtors to Reject Certain Unexpired Leases, Subleases and Related Contracts Pursuant to 11 U.S.C. § 365, and (II) Granting Related Relief* [Docket No. 437].
5. *Proposed Order (I) Authorizing the Employment and Retention of Raymond James & Associates, Inc. as Investment Banker for the Debtors, Effective as of the Petition Date and (II) Granting Related Relief* [Docket No. 450].

**Status:** The matter will go forward.

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Dated: May 24, 2023

**PACHULSKI STANG ZIEHL & JONES LLP**

/s/ Michael D. Warner

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*Counsel to the Debtors and Debtors in Possession*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 24<sup>th</sup> day of April, 2023, a true and correct copy of the above and foregoing has been served on all parties that are registered to receive electronic transmission through this Court's CM/ECF filing system in these cases.

/s/ Michael D. Warner

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Michael D. Warner